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FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

NOV 19 2003

at 12 o'clock and — min P M  
WALTER A.Y.H. CHINN, CLERK

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 03-00450 HG
	)	
Plaintiff,	)	FIRST SUPERSEDING INDICTMENT
	)	
vs.	)	Count 1: 21 U.S.C. § 841(a)
	)	Count 2: 18 U.S.C. §§
JAMES I. SOUZA,	)	922(g)(1) and 924(a)(2)
	)	Count 3: 18 U.S.C. §§
Defendant.	)	922(g)(3) and 924(a)(2)
	)	

**FIRST SUPERSEDING INDICTMENT**

**COUNT 1**

(21 U.S.C. § 841(a)(1))

The Grand Jury charges that:

On or about July 25, 2001, in the District of Hawaii,  
the defendant JAMES SOUZA did knowingly and intentionally possess  
with intent to distribute methamphetamine, its salts, isomers,  
and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code,  
Section 841(a)(1).

COUNT 2

(18 U.S.C. §§ 922(g)(1), 924(a)(2))

The Grand Jury further charges that:

On or about a date between June 2003 and August 27, 2003, in the District of Hawaii, the defendant JAMES I. SOUZA, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce: (1) a firearm, to wit, a Smith & Wesson, .357 caliber revolver, bearing serial number S84828, and manufactured by Smith & Wesson in Massachusetts; and (2) ammunition, to wit, nine rounds of .38 caliber ammunition and three rounds of .357 caliber ammunition, with all such ammunition having been manufactured outside the State of Hawaii.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 3

(18 U.S.C. §§ 922(g)(3), 924(a)(2))

The Grand Jury further charges that:

On or about a date between June 2003 and August 28, 2003, in the District of Hawaii, the defendant JAMES I. SOUZA, then being an unlawful user of a controlled substance as defined in Title 21, United States Code, Section 802, did knowingly possess in and affecting commerce: (1) a firearm, to wit, a Smith & Wesson, .357 caliber revolver, with serial number S84828, manufactured by Smith & Wesson in Massachusetts; and (2) ammunition, to wit, nine rounds of .38 caliber ammunition and

three rounds of .357 caliber ammunition, with all such ammunition having been manufactured outside the State of Hawaii.


All in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

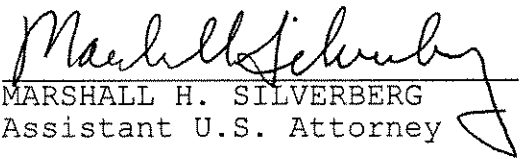
DATED: November 19, 2003, at Honolulu, Hawaii.

A TRUE BILL

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FOREPERSON, GRAND JURY

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UNITED STATES v. JAMES I. SOUZA  
Cr. No. 03-00450 HG (First Superseding Indictment)